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**FISCAL IMPACT REPORT**



**SPONSOR:** Griego **DATE TYPED:** 01/31/02 **HB** \_\_\_\_\_

**SHORT TITLE:** Sport Shooting Range Act **SB** 275

**ANALYST:** Belmares

**APPROPRIATION**

<b>Appropriation Contained</b>		<b>Estimated Additional Impact</b>		<b>Recurring or Non-Rec</b>	<b>Fund Affected</b>
<b>FY02</b>	<b>FY03</b>	<b>FY02</b>	<b>FY03</b>		
	NFI				

(Parenthesis ( ) Indicate Expenditure Decreases)

**SOURCES OF INFORMATION**

Department of Public Safety (DPS)  
LFC Files

**SUMMARY**

Synopsis of Bill

Senate Bill 275 creates the Sport Shooting Range Act and provides standards for immunity from nuisance actions based on noise or noise pollution. Specifically, SB 275 establishes that the use or operation of a sport shooting range shall not be enjoined as a nuisance on the basis of noise or noise pollution if the sport shooting range is in compliance with noise control statutes, rules or ordinances that governed the sport shooting range at the time it commenced operations. SB 275 also provides exclusion from future noise control statutes, rules or ordinances or changes in, rules or ordinances (if new rules or changes proceed the initial operation of commencement of range operations). SB 275 establishes that the use or operation of a sport shooting range may not be enjoined as a nuisance on the basis of noise or noise pollution by a person who acquires an interest in real property adversely affected by the normal operation and use of the sport shooting range that commenced operation prior to the time the person acquired the interest in the real property. Finally, SB 275 specifies the Sport Shooting Range Act shall not prohibit a local government from regulating the location and construction of sport shooting ranges after July 1, 2002.

Significant Issues

Under SB 275 a landowner who has acquired his or her land after the range was in existence will be unable to prevail in an noise nuisance action. Even if an urban environment encroaches on an area occupied by the sport shooting range.

In effect, SB 275 extends “grandfather status” to shooting ranges currently in existence and allows the shooting ranges to continue in operation under rules or ordinances in a given municipality or county when the shooting range commenced operation. SB 275 does not prohibit local governments from regulating the location and construction of sport shooting ranges after July 1, 2002.

EB/ar